

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

NEPTUNE TECHNOLOGIES &
BIORESSOURCES, INC., and
L'UNIVERSITÉ DE SHERBROOKE,

Plaintiffs,

v.

AKER BIOMARINE ASA,
JEDWARDS INTERNATIONAL, INC., and
VIRGIN ANTARCTIC LLC.,

Defendants.

CASE NO. 1:09-cv-11946-MLW

COMPLAINT FOR DAMAGES
AND INJUNCTIVE RELIEF

JURY TRIAL DEMANDED

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME
TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT**

NOW COME Defendants AKER BIOMARINE, ASA, ("ABM") JEDWARDS INTERNATIONAL, INC., ("Jedwards") AND VIRGIN ANTARCTIC LLC ("Virgin") (collectively "DEFENDANTS"), by and through their undersigned counsel, and move the Court for an order extending Defendants' time to answer or otherwise respond to the complaint of Plaintiffs NEPTUNE TECHNOLOGIES & BIORESSOURCES, INC. ("Neptune") AND L'UNIVERSITÉ DE SHERBROOKE.'s ("Sherbrooke") (collectively "PLAINTIFFS"). DEFENDANTS request an extension to and including January 11, 2010, and in support of this request state the following:

1. PLAINTIFFS served their complaint upon Jedwards and Virgin on November 20, 2009.
2. Absent an extension, Defendants Jedwards and Virgin's answer or other pleading responsive to PLAINTIFFS' complaint is due on or before Thursday, December 10, 2009.

3. Defendant ABM, a Norwegian Corporation, has not yet been served. ABM has agreed to waive the service requirements of Federal Rules of Civil Procedure Rules 4(f) and 4(h)(2), pursuant to Federal Rule of Civil Procedure 4(d)(1) and will accept service through its counsel.
4. PLAINTIFFS have agreed to an extension of time for DEFENDANTS to answer or otherwise respond to January 11, 2010.
5. Pursuant to Local Rule 7.1(A)(2), counsel for DEFENDANTS has conferred with counsel for PLAINTIFFS, and counsel for PLAINTIFFS has no objection to this motion.

WHEREFORE, Defendants respectfully request that the Court grant an extension of time to and including January 11, 2010 to answer or otherwise respond to the PLAINTIFFS' complaint.

Dated: December 10, 2009

/s/William A. Haddad
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as nonregistered participants on December 10, 2009.

/s/William A. Haddad
William A. Haddad

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COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

JURY TRIAL DEMANDED

ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION OF TIME

Having considered the parties' UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT, the Court hereby ORDERS that the deadline for named defendants Aker Biomarine, ASA, Jedwards International, Inc., and Virgin Antarctic LLC, to answer or otherwise respond to plaintiffs Neptune Technologies & Bioressources, Inc., and L'Université de Sherbrooke 's complaint is extended to and includes January 11, 2010.

IT IS SO ORDERED, this ____ day of December, 2009

Mark L. Wolf, U.S.D.C., C.J.